

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 1:25-cv-21088-CMA

GAMIL KHFARFAN,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; EQUIFAX INFORMATION SERVICES,
LLC; and TRANS UNION, LLC;

Defendants.

_____ /

**DEFENDANT TRANS UNION LLC'S
ANSWER AND DEFENSES TO PLAINTIFF'S COMPLAINT**

COMES NOW, Trans Union LLC ("Trans Union"), one of the Defendants herein, and files its Answer and Defenses to Plaintiff's Complaint ("Complaint") filed by Gamil Kharfan ("Plaintiff"). The paragraph numbers below correspond to the paragraph numbers contained in the Plaintiff's Complaint to the extent possible.

JURISDICTION AND VENUE

1. Trans Union admits that Plaintiff purports to bring an action with Fair Credit Reporting Act ("FCRA") claims but denies the remaining allegations of this paragraph.
2. Trans Union admits that jurisdiction is proper in this Court. Trans Union denies the remaining allegations contained in paragraph 2 of the Complaint.
3. Trans Union admits, solely based on the allegations contained in the Complaint, that venue is proper in this District. Trans Union denies the remaining allegations contained in paragraph 3 of the Complaint.

DEMAND FOR JURY TRIAL

4. Trans Union admits that Plaintiff demands a jury and objects to the extent that any of the issues demanded are not so triable.

PARTIES

5. Trans Union admits that Plaintiff is a natural person. Trans Union is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 5 of the Complaint and, therefore, denies same.

6. Trans Union is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Complaint and, therefore, denies same.

7. Trans Union is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Complaint and, therefore, denies same.

8. Trans Union admits that it is a limited liability company organized under the laws of the State of Delaware and that Trans Union is a “consumer reporting agency” as defined by applicable law. Trans Union denies the remaining allegations contained in paragraph 8 of the Complaint.

GENERAL ALLEGATIONS

9. Trans Union admits that it is a “consumer reporting agency” as that term is defined by the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it

10. Trans Union states that cited provision(s) of the FCRA speaks for itself. To the extent that this Paragraph misquotes or misstates the text or appropriate interpretation of the FCRA, Trans Union denies the same.

11. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

12. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

13. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

14. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

15. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

16. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

17. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

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23. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

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28. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

29. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

30. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

COUNT 1

31. Trans Union reasserts its answers and responses set forth herein.

32. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

33. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

34. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

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COUNT 2

56. Trans Union reasserts its answers and responses set forth herein.

57. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

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COUNT 3

66. Trans Union reasserts its answers and responses set forth herein.

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COUNT 4

91. Trans Union reasserts its answers and responses set forth herein.

92. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

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106. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

107. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

108. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

109. Trans Union denies that the statements contained in this paragraph require a response from Trans Union as they do not constitute allegations asserted against it.

COUNT 5

110. Trans Union reasserts its answers and responses set forth herein.

111. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

112. Trans Union denies the allegations of this paragraph.

113. Trans Union denies the allegations of this paragraph.

114. Trans Union admits that it is a “consumer reporting agency” as that term is defined by the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* Trans Union denies the remaining allegations of this paragraph, as they apply to Trans Union.

115. Trans Union admits that it is a “consumer reporting agency” as that term is defined by the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* Trans Union denies the remaining allegations of this paragraph, as they apply to Trans Union.

116. Trans Union denies the allegations of this paragraph.

117. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

118. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

119. Trans Union states that it lacks knowledge or information sufficient to form a belief about the truth of these allegations.

120. Trans Union denies the allegations of this paragraph.

121. Trans Union denies the allegations of this paragraph.

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123. Trans Union denies the allegations of this paragraph.

124. Trans Union denies the allegations of this paragraph.

125. Trans Union denies the allegations of this paragraph.

126. Trans Union denies the allegations of this paragraph.

127. Trans Union denies the allegations of this paragraph.

128. Trans Union denies the allegations of this paragraph.

129. Trans Union denies the allegations of this paragraph.

130. Trans Union denies the allegations of this paragraph.

131. Trans Union denies the allegations of this paragraph.

132. Trans Union denies the allegations of this paragraph.

133. Trans Union denies the allegations of this paragraph.

134. Trans Union denies the allegations of this paragraph.

COUNT 6

135. Trans Union reasserts its answers and responses set forth herein.

136. Trans Union denies the allegations of this paragraph.

137. Trans Union denies the allegations of this paragraph.

138. Trans Union denies the allegations of this paragraph.

139. Trans Union denies the allegations of this paragraph.

140. Trans Union denies the allegations of this paragraph.

141. Trans Union denies the allegations of this paragraph.

142. Trans Union denies the allegations of this paragraph.

143. Trans Union denies the allegations of this paragraph.

144. Trans Union denies the allegations of this paragraph.

COUNT 7

145. Trans Union reasserts its answers and responses set forth herein.

146. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

147. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

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152. Trans Union denies the allegations of this paragraph, as they apply to Trans Union, and denies the remaining allegations of this require a response, as they do not constitute allegations asserted against it.

DEFENSES

153. At all relevant times, Trans Union maintained and followed reasonable procedures to avoid violations of the FCRA and assure maximum possible accuracy of the information concerning Plaintiff in preparing consumer reports related to Plaintiff.

154. Any alleged damages to Plaintiff, which Trans Union continues to deny, are the result of the acts or omissions of Plaintiff or others, over whom Trans Union has no control and for whom Trans Union has no responsibility.

155. Trans Union at all times acted in compliance with the FCRA.

156. Trans Union has not published any false, inaccurate or defamatory information to a third-party regarding Plaintiff and has not acted with negligence, malice, actual malice, or willful intent to injure.

157. Plaintiff's common law and/or state law claims are barred/preempted by the qualified immunity/privilege granted by the FCRA and state law.

158. Plaintiff failed to mitigate his alleged damages.

159. Some or all of Plaintiff's claims against Trans Union are barred by the applicable statute of limitations.

160. Plaintiff's claims for exemplary or punitive damages and the FCRA damage model violate the Due Process Clause of the Fourteenth Amendment and the laws of the State of Florida.

161. In the event that a settlement is reached between Plaintiff and any other party, Defendant Trans Union is entitled to any settlement credits permitted by law.

162. Any alleged damages to Plaintiff, which Trans Union continues to deny, were caused in whole or in part by an intervening or superseding cause.

WHEREFORE, PREMISES CONSIDERED, Defendant Trans Union, respectfully requests that this Honorable Court deny the relief requested in Plaintiff's Complaint, dismiss the action in its entirety, grant Trans Union its costs of suit and expenses incurred herein, including reasonable attorneys' fees, and for such other and further relief as the Court deems just.

Respectfully submitted,

/s/ Charlotte A. Long
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Florida Bar No. 0112517
Charlotte.long@transunion.com
Trans Union, LLC
555 W. Adams Street
Chicago, IL 60661
(469) 578-1464
Counsel for Trans Union LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of April, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties of record.

/s/ Charlotte A. Long
